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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,204	02/26/2002	Yuki Yamamoto	1619.1018	5091

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EXAMINER

DOAN, DUYEN MY

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/082,204	YAMAMOTO, YUKI	
	Examiner	Art Unit	
	Duyen M. Doan	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/21/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-25 are amended for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1-4 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, applicant claims "accepting a remark request, with the current location of the terminal attached, from said terminal for permission to make a remark, and delivering the remark to the terminals of the other participants of said area chat room by attaching the location of said terminal". It is not clear that which terminal the applicant referring to when "attaching the location of said terminal". Further clarification is appreciated.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 11, 13-19, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takakura et al (us 2002/0007396) (hereinafter Takakura) in view of Sandhu et al (us pat 6,867,733) (hereinafter Sandhu).

As regarding claim 1, Takakura discloses managing access to area chat rooms each associated with a specific location (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118); accepting an entrance request, with a current location of the terminal or a user-specified location attached, from said terminal for permission to enter one of said area chat rooms, and allowing entrance into any appropriate area chat room whose area includes said current location or specified location (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118); accepting a remark request from said terminal for permission to make a remark, and delivering the remark, in form of text data, to the terminals of the other participants of said area chat room by attaching the location of said terminal (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118); Takakura discloses that it is also possible to use a character chat as well for having a dialogue in text data); and accepting location update information from said terminal and delivering said location update information to the terminals of the other participants of said area chat room (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118).

Takakura does not expressly disclose the remark with current location of the terminal attached.

Sandhu teaches the remark with current location of the terminal attached (see Sandhu col.2, lines 39-67; col.4, lines 32; col.5, lines 35-67 to col.6, lines 43; col.7, lines 11-58, col.8, lines 1-17, user send a request with the location stamp of the sender to the service provider).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Sandhu to the method of Takura to have the location attached with the request because by having the location attached with the request would help mobile user to obtain the location of another mobile user (see Sandhu col.2, lines 34-67).

As regarding claim 2, Takakura-Sandhu discloses accepting any inquiry about the current location of another participant in the area chat room from said terminal, acquiring the current location from the terminal of said other participant if the terminal of said other participant permits sending a reply, and sending the current location of said other participant in return (see Sandhu col.2, lines 39-67; col.4, lines 32; col.5, lines 35-67 to col.6, lines 43; col.7, lines 11-58, col.8, lines 1-17, user send a request with the location stamp of the sender to the service provider requesting the location of other mobile unit). The same motivation was utilized in claim 1 applied equally well to claim 2.

As regarding claim 3, Takakura-Sandhu discloses creating an area chat room by specifying a range based on the current location of said terminal or a user-specified location if a request to create an area chat room is received from said terminal (see

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Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118, generating plurality of chat room, the chat room of the user is change according to the current location of user, therefore the user can always participate in the chat room corresponding to the current location of the self).

As regarding claim 4, Takakura-Sandhu discloses registering and managing information about any subscriber who wants to be notified if an area chat room whose area includes the current location of the terminal or a user-specified location is created; and notifying said subscriber's terminal about creation of any area chat room which agrees with the information about said subscriber. (see Sandhu col.2, lines 39-67; col.4, lines 32; col.5, lines 35-67 to col.6, lines 43; col.7, lines 11-58, col.8, lines 1-17, user send a request with the location stamp of the sender to the service provider requesting the location of other mobile unit, sender sends a request with parameters specifying what type of information the sender wants in return, the user may request to be notify if certain criteria is met). The same motivation was utilized in claim 1 applied equally well to claim 4.

As regarding claim 5, Takakura discloses sending a server of said system an entrance request with the current location of the terminal or a user-specified location attached, requesting for permission to enter an area chat room provided by said system and associated with a specific location (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118); sending the server of said system a remark request, when the user is in said area chat room; receiving the current locations and remarks, in form of text data, of all the participants as well as map

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data corresponding to the range of said area chat room from said system and displaying said map data, including charted locations of the all participants, and remarks of the participants on a display screen of said terminal when the user is in said area chat room (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118).

Takakura does not explicitly disclose the remark with the current location of said terminal attached and informing the server of said system about the current location of said terminal at designated intervals or on designated occasions.

Sandhu teaches the remark with the current location of said terminal attached and informing the server of said system about the current location of said terminal at designated intervals or on designated occasions (see Sandhu col.2, lines 39-67; col.4, lines 32; col.5, lines 35-67 to col.6, lines 43; col.7, lines 11-58, col.8, lines 1-17, user send a request with the location stamp of the sender to the service provider).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Sandhu to the method of Takura to have the location attached with the request and informing the server of the current location of terminal because by having the location attached with the request would help mobile user to obtain the location of another mobile user (see Sandhu col.2, lines 34-67).

As regarding claim 6, Takakura-Sandhu discloses entrance request contains direction whether or not the current location attached to said entrance request is to be shown to other participants (see Sandhu col.2, lines 39-67; col.4, lines 32; col.5, lines

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35-67 to col.6, lines 43; col.7, lines 11-58, col.8, lines 1-17, user send a request with the location stamp of the sender to the service provider requesting the location of other mobile unit, sender can limit those can access her current location). The same motivation was utilized in claim 1 applied equally well to claim 4.

As regarding claim 11, Takakura-Sandhu discloses sending said system a room creation request to create an area chat room with its range specified based on the current location of said terminal or a user-specified location (see Sandhu col.2, lines 39-67; col.4, lines 32; col.5, lines 35-67 to col.6, lines 43; col.7, lines 11-58, col.8, lines 1-17, user send a request with the location stamp of the sender to the service provider requesting the location of other mobile unit, sender sends a request with parameters specifying what type of information the sender wants in return, the user may request to be notify if certain criteria is met). The same motivation was utilized in claim 1 applied equally well to claim 11.

As regarding claim 13, the limitations are similar to claim 1, therefore rejected for the same rationale as claim 1.

As regarding claim 14, the limitations are similar to claim 1, therefore rejected for the same rationale as claim 1.

As regarding claim 15, the limitations are similar to claim 2, therefore rejected for the same rationale as claim 2.

As regarding claim 16, the limitations are similar to claim 3, therefore rejected for the same rationale as claim 3.

As regarding claim 17, the limitations are similar to claim 4, therefore rejected for the same rationale as claim 4.

As regarding claim 18, the limitations are similar to claim 5, therefore rejected for the same rationale as claim 5.

As regarding claim 19, the limitations are similar to claim 6, therefore rejected for the same rationale as claim 6.

As regarding claim 24, the limitations are similar to claim 11, therefore rejected for the same rationale as claim 11.

Claims 7-10, 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takakura et al (us 2002/0007396) (hereinafter Takakura) and Sandhu et al (us pat 6867733) (hereinafter Sandhu) as applied to claim 5 above, further in view of Kelts (us 20020112237).

As regarding claims 7, 20 Takakura-Sandhu discloses all the limitations of claim 5, but fail to disclose the charted location of the latest speaker is indicated by a shape, color, or method different from those for other speakers when charting the locations of the participants who are in said area chat room. Kelts teaches the charted location of the latest speaker is indicated by a shape, color, or method different from those for other speakers when charting the locations of the participants who are in said area chat room (pg.8, paragraph 88, different colored map items may represent different types of programming genres, different programming characteristics...one or more of

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the following map item icon characteristics may be varied in a dynamic manner: shape, size, color, design, orientation, text label...).

It would have been obvious to one with ordinary skill in the art at the time of the invention was made to combine the teaching of Kelts with the method of Takakura-Sandhu to have different participants represent in different shapes and colors for the purpose of convey useful information to the user in an easy to interpret manner (see Kelts pg.8, paragraph 88).

As regarding claims 8, 21 the limitations are similar to claim 7, therefore rejected for the same rationale as claim 7.

As regarding claims 9, 22 the limitations are similar to claim 7, therefore rejected for the same rationale as claim 7.

As regarding claims 10, 23 Takakura-Sandhu-Kelts disclose after accepting a remark location search request, calculating the distance between the location at the time of said remark and the current location of the terminal and displaying it on the display of said terminal (see Takakura pg.2-3, par 21, 37-40, 49-50; pg.4, par 56-59, 64-66; pg.6-7, par 88, 94-97, pg.8, par 115, 118).

Claims 12, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takakura et al (us 2002/0007396) (hereinafter Takakura) and Sandhu et al (us pat 6867733) (hereinafter Sandhu) as applied to claim 5, 18 above, further in view of Hatlelid (us pat 6,772,195) (hereinafter Hatlelid).

As regarding claim 12, Takakura-Sandhu discloses all the limitations of claim 5 and 11 above, but fail to disclose, room creation request contains information to limit the participants who are allowed in the area chat room created. Hatlelid teaches room creation request contains information to limit the participants who are allowed in the area chat room created (col.7, lines 1-18).

It would have been obvious to one with ordinary skill in the art at the time of the invention was made to combine the teaching of Hatlelid with the method of Takakura-Sandhu to have room creation request contains information to limit the participants who are allowed in the area chat room created for the purpose of restricting other participants from participate in private chat room (see Hatlelid col.7, lines 1-18).

As regarding claim 25, the limitations are similar to claim 12, therefore rejected for the same rationale as claim 12.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Response to Arguments

Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

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As regarding applicant argument on claim 1 "the current location of the terminal is attached with the request... in form of text data". This feature is addressed in the rejection above.

As regarding applicant argument on claims 2-4, "returning the location to the requesting participant", "creating chat room on the range based on the current location of terminal", "notifying the terminal if there is a match in between the chat room and the information about the terminal". These claims are addressed in the rejection above.

As regarding applicant argument on claims 7 and 20, "the charted location of the latest speaker is indicated by a shape, color or method different from those for other speakers". Applicant describes claim 7 in an alternative manner, therefore Kelts still disclose the limitation of claim 7. Kelts describes in his invention, pg.8, paragraph 88, using different colors, shapes or size... to represent different items on the map.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

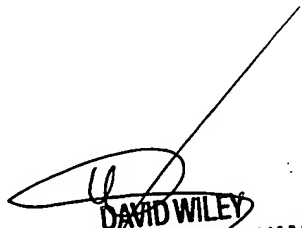
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Duyen Doan
Art unit 2143


DAVID WILEY
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